

State of California
AIR RESOURCES BOARD

**Notice of Public Availability of Modified Text
and Supporting Documents and Information**

**PUBLIC HEARING TO CONSIDER AMENDMENTS TO THE CALIFORNIA ZERO
EMISSION VEHICLE PROGRAM REGULATIONS**

Public Hearing Date: January 25, 2001
Internet Posting Date: October 31, 2001
Public Availability Date: October 31, 2001
Last Day for Supplemental Public Comment: November 15, 2001

At a January 25, 2001 public hearing, the Air Resources Board (ARB or Board) considered adoption of amendments to section 1962, title 13, California Code of Regulations (CCR), and related regulations. The amendments, proposed by staff, would make major changes to the requirements imposed on manufacturers by the California Zero Emission Vehicle (ZEV) program. Key elements of the initial proposal would reduce the number of pure ZEVs needed to comply in the early years; allow a further reduction of up to 50 percent in the number of required ZEVs if manufacturers "backfill" by producing other types of advanced technology vehicles; reduce the number of "PZEVs" needed in the early years; and gradually increase the percentage requirement up to 16 percent in 2018. The amendments were described in detail in the Staff Report (Initial Statement of Reasons for Proposed Rulemaking) released on December 8, 2000.

The Board's action. At the conclusion of the January 25, 2001 hearing, the Board adopted Resolution 01-01, in which it approved the originally proposed amendments with a number of modifications. Many of the modifications had been suggested by staff in a January 19, 2001 document entitled "Staff's Suggested Modifications to the Original Proposal," which was distributed at the hearing and was Attachment C to the Resolution. Other modifications were initiated by the Board itself, and are described on pages 7-8 of the Resolution. The Resolution and its Attachments C and D are appended to this Notice as Attachment I. The Resolution directed the Executive Officer to incorporate the approved modifications into the proposed regulatory text, with such other conforming modifications as may be appropriate, and to make the modified text available for a supplemental comment period.

The Board's modifications to the December 8, 2000 staff proposal include adding heavier pick-up trucks, sport utility vehicles and minivans (the "LDT2" category of vehicles) to the base against which manufacturers' obligations are assessed; increasing the required number of ZEVs to about twice the level required under the December 8, 2000 staff proposal by the 2012 model year; requiring hybrid electric vehicles with all

electric range to be treated as advanced technology PZEVs rather than ZEVs, and providing additional incentives for vehicles placed in “transportation systems.”

In preparing the modified regulatory language, the staff has made various additional revisions to best reflect the intent of the Board at the hearing. The staff has also identified several additional modifications – mostly technical – that are appropriate in order to make the amended regulations work as effectively as possible. The most significant post-hearing modifications provide more specific criteria to be used to determine how vehicles earn an “advanced componentry” allowance, allowing a manufacturer the option of basing its compliance on current rather than prior-year sales, and providing that a specialty version of a ZEV or PZEV may be tested using the same parameters used to test the base version.

Modified text being made available. Attachment II to this notice contains the proposed title 13, CCR regulatory text showing the proposed modifications, along with explanations of the modified language and its rationale. Modifications developed after the hearing are specifically identified. The rulemaking also includes amendments to the “California Exhaust Emission Standards and Test Procedures for 2003 and Subsequent Model Zero-Emission Vehicles, and 2002 and Subsequent Model Hybrid Electric Vehicles, in the Passenger Car, Light-Duty Truck and Medium-Duty Vehicle Classes,” which is incorporated by reference in section 1962(h), title 13, CCR. Most of the amendments to the incorporated document are identical to the amendments to section 1962, and are therefore not separately shown in Attachment II. However, Attachment II does show the proposed amendments to the incorporated document that are supplemental to the section 1962. The complete text of the incorporated document with the proposed modifications clearly shown is available online at the ARB’s Internet site for the regulatory documents in this rulemaking – <http://www.arb.ca.gov/regact/zev2001/zev2001.htm>. Printed copies may be obtained from Linda Lu Davis at (916) 322-6169.

Additional supporting documents and information being made available. In accordance with Government Code section 11347.1, the staff has added to the rulemaking record the additional documents identified in Attachment III, which also describes how the public may inspect the documents. The most significant additional document is a staff response to a study entitled “Impacts of Alternative ZEV Sales Mandates on California Motor Vehicle Emissions” submitted by General Motors Corp. during the comment period just prior to the January hearing.

Comments and subsequent action. In accordance with section 11346.8 of the Government Code, the Board directed the Executive Officer to make the modified amendments available to the public for a supplemental written comment period of at least 15 days. He is then directed either to adopt the amendments with such additional modifications as may be appropriate in light of the comments received, or to present the regulations to the Board for further consideration if warranted.

Written comments on the proposed modifications and on the information identified in Attachment III may be submitted by postal mail, electronic mail, or facsimile as follows:

Postal mail is to be sent to:

Clerk of the Board
Air Resources Board
P.O. Box 2815
Sacramento, California 95812

Electronic mail is to be sent to: zev2001@listserv.arb.ca.gov

Facsimile submissions are to be transmitted to: (916) 322-3928

In order to be considered by the Executive Officer, comments must be directed to the ARB in one of the three forms described above and received by the ARB by 5:00 p.m. on the last day for supplemental comment listed at the beginning of this notice. Only comments relating to the modifications to the text of the regulations or incorporated Test Procedure document, or to the additional information made available by this notice, will be considered by the Executive Officer.

If you are a person with a disability and desire to obtain this document in an alternative format, please contact the Air Resources Board ADA coordinator at (916) 323-4916.

Persons with hearing or speech impairments can contact us by using our Telephone Device for the Deaf (TDD) at (916) 324-9531 or (800) 700-8326 for TDD calls from outside the Sacramento area.

Robert H. Cross, Chief
Mobile Source Control Division

Attachments

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs see our Web-site at www.arb.ca.gov.